

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Action No. 3:20-cv-00517-RJC-DCK

JOBBIE FLOWERS,

Plaintiff,

v.

ELECTROLUX NORTH AMERICA, INC.,

Defendant.

**CONSENT MOTION TO CONTINUE
SUMMARY JUDGMENT HEARING**

NOW COMES Plaintiff Jobbie Flowers (“Plaintiff”), by and through undersigned counsel, and moves this Court to continue the January 18, 2022 summary judgment hearing in this matter to January 24, 2022 or thereafter for the following reasons:

1. On November 23, 2021, the Court issued a notice of hearing for Defendant's motion for summary judgment. The hearing is presently set for January 18, 2022.
2. On the same day, the Court reset the trial date in this matter for the March 22, 2022 term.
3. Plaintiff's counsel has a conflict with the January 18, 2022 summary judgment hearing date. Counsel is scheduled to begin trial in *Barnes, et al. v. The Building Center, Inc., et al.* (19-CVS-13562) on January 18, 2022. The trial is a peremptory setting and is anticipated to take 4-5 days. Exhibit A attached hereto is an email from the Mecklenburg County Caseflow Manager indicating that the trial was rescheduled for January 18, 2022 as a peremptory setting.

4. Due to Plaintiff's counsel's conflict, Plaintiff respectfully requests the summary judgment hearing be continued to the following week, January 24, 2022 or thereafter.

5. In compliance with Local Rule 7.1, on November 23, 2022, counsel for the Parties conferred regarding the conflict Plaintiff's counsel has with the recently scheduled summary judgment hearing date. Defense counsel indicated that Defendant does not oppose continuing the summary judgment hearing until the week of January 24, 2022. See Exhibit B.

6. This motion is made in good faith and not for the purpose of delay and does not request a continuance of the trial date in this matter.

WHEREFORE, Plaintiff moves the Court to continue the summary judgment hearing in this matter until January 24, 2022 or thereafter.

Respectfully submitted this the 23rd day of November, 2021.

/s/ Nicole K. Haynes

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